

# PROCLAMATION

BY THE

## Gouvernor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, there was passed at the Second Called Session of the Forty-Second Legislature House Bill Number 22, being "An ACT providing for the allocation of the occupation taxes levied and collected under Chapter 88, Acts of the 2d Called Session, 41st. Legislature and Chapter 98, Acts of the Regular Session, 42d Legislature; providing the manner of distribution; providing that such monies that are transferred to the counties shall be taken into consideration in fixing the tax rate of such counties, and declaring an emergency;" and,

WHEREAS, said bill has been vetoed for certain reasons stated and on file in the office of the Secretary of State, among which reasons are the following:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT I, R.S. Sterling, Governof the State of Texas, under and by virtue of the authority vested in me by the Constutition and laws of this State, have vetoed said bill for the reasons stated and on file, and do hereby proclaim such action to have been taken.



IN TESTIMONY WHEREOF I have hereunto signed my name officially and caused the seal of State to be impressed hereon at Austin, Texas, this the 21st. day of October, A.D. 1922.

*R.S. Sterling*  
Governor of Texas.

BY THE GOVERNOR

*James H. McCallum*  
SECRETARY OF STATE.

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The subject matter of House Bill No.22, known as the Brooks Bill was not submitted by me to the Legislature for its consideration or action at the Second Called Session of the Legislature.

The purpose of the Bill is to afford relief to Counties and Road Districts on their road bonded indebtedness, the proceeds of which were used on the construction of roads which have become a part of the State Highway System, by taking from the State Highway Fund a sum of about Six Millions of dollars. Under the terms of the Bill and the existing situation this relief would not reach the Counties or tax-payers until time for payment of their taxes in January, 1933. The Bill provides that beginning January 1, 1932, the proceeds of one cent on the four cents gasoline tax shall be set aside in a suspense fund as the same is collected monthly. The proceeds of one cent of the gasoline tax is approximately \$600,000.00 per month; consequently, it would require ten months from the first of January next, if not more, to accumulate the sum of \$6,000,000.00. In the meantime the tax rate is fixed by the Commissioners' Courts in July or August and, as stated before, the tax payers would not get the relief until they come to pay their taxes in January, 1933.

This Bill, if approved, would take from a live and active fund the stated amount of about Six Millions of dollars, which, if left to the Highway Fund, would afford employment to hundreds or thousands of persons, and to be used in the purchase of cement, sand, gravel, lumber and other commodities, and would place such sum in a dead fund to be locked up in the Treasury until the same is applied in the reduction of County and Road District Bonds in 1933. Consequently, I cannot see that this in any respect can be said to be a relief measure to the people during the "present depression."

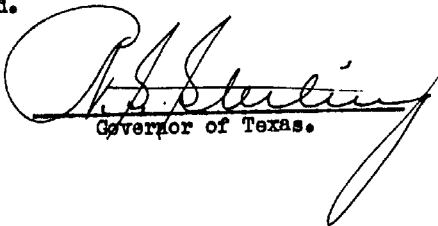
The Legislature declined to levy an additional one cent gasoline tax to provide funds to be created under the Bill. If such additional gasoline tax had been levied by the Legislature a different situation would have been presented to me in arriving at my conclusions as to what my action should be on this Bill.

I have consistently for years, and in my campaign for Governor, advocated the submission of a constitutional amendment to the people of Texas for their adoption or rejection which would have provided for the issuance of

State bonds, payable out of a gasoline tax, to raise funds to relieve Counties and Road Districts of their road tax for all sums expended by Counties or Road Districts in the construction of State highways, and the provisions of this Bill are inconsistent with the position which I have uniformly and consistently taken.

I am advised by the Highway Commission that it has outstanding more than twenty million dollars of contractual obligations for highway construction; of course, no act which would interfere with prompt payment of State liabilities would be constitutional. Three million dollars of the State Highway Fund has, by Act of the Legislature, been set aside to purchase State and Pension warrants for the account of the State Highway Fund; if an additional sum of approximately six million dollars is taken from the Highway Fund (not to be replaced) it is doubtful if any additional construction can be let by the Department until well into the year 1932.

I do not think it necessary to consider any further objections to this Bill, which is hereby vetoed.

  
Governor of Texas.